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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

5 \* \* \*

6 Matthew Travis Houston,

Case No. 2:22-cv-01607-APG-DJA

7 Plaintiff,

**Order**

8 v.

9 Joe Lombardo, et al.

10 Defendants.  
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12 Before the Court is Plaintiff's application to proceed *in forma pauperis* (ECF No. 10), and  
13 emergency request for production of documents (ECF No. 12). Having reviewed Plaintiff's  
14 emergency request for production of documents (ECF No. 12), the Court finds it to be discovery  
15 documents as defined in Local Rule 26-7 which are not to be filed with the Court until they are  
16 used in the proceeding, unless the Court orders otherwise. The Court thus denies Plaintiff's  
17 motion (ECF No. 12) and orders it stricken from the docket.


18 The Court defers deciding Plaintiff's application to proceed *in forma pauperis*. (ECF No.  
19 10). Plaintiff has submitted the affidavit required by 28 U.S.C. § 1915(a) showing an inability to  
20 prepay fees and costs or give security for them. Plaintiff has also attached the required financial  
21 documents. (*Id.* at 3-11). However, Plaintiff has not attached a complaint on this Court's form as  
22 the Court instructed in its previous order. (ECF No. 11). But it appears that Plaintiff's  
23 application may have been mailed before Plaintiff received this Court's order. The Court will  
24 thus give Plaintiff an opportunity to file a complaint on this Court's form but will keep the  
25 existing deadline for Plaintiff to file the new complaint as set by its previous order. (ECF No.  
26 11).  
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1           **IT IS THEREFORE ORDERED** that Plaintiff's emergency request for production of  
2 documents (ECF No. 12) is **denied**. The Clerk of Court is kindly directed to **strike** (ECF No. 12)  
3 from the docket.

4           **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send Plaintiff  
5 the Court's form civil rights complaint by an incarcerated individual along with its accompanying  
6 instruction packet.<sup>1</sup>

7           **IT IS FURTHER ORDERED** that by **November 7, 2022**, Plaintiff must file a new  
8 complaint on this Court's form. Failure to comply with this order will result in a recommendation  
9 to the District Judge that this action be dismissed.

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11           DATED: October 19, 2022

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14 DANIEL J. ALBREGTS  
15 UNITED STATES MAGISTRATE JUDGE  
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28           <sup>1</sup> These forms can all also be found at <https://www.nvd.uscourts.gov/court-information/forms/>.